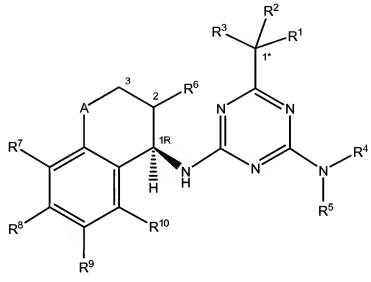
AMENDMENT TO THE CLAIMS

Please amend the claims without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents, as follows.

In the Claims:

Claim 1 (original)

1. An optically active compound of formula (I),



(I)

in which:

R^1 is H, halogen, $(C_1$-$C_6)$alkyl, $(C_1$-$C_6)$haloalkyl, $[(C_1$-$C_4)$alkoxy$](C_1$-$C_6)$alkyl, $(C_3$-$C_6)$cycloalkyl which is unsubstituted or substituted by one or more radicals selected from the group consisting of halogen, $(C_1$-$C_4)$alkyl and $(C_1$-$C_4)$haloalkyl, or is $(C_2$-$C_6)$alkenyl, $(C_2$-$C_6)$alkynyl, $(C_2$-$C_6)$haloalkenyl, $(C_4$-$C_6)$cycloalkenyl, $(C_4$-$C_6)$halocycloalkenyl, $(C_1$-$C_6)$alkoxy or $(C_1$-$C_6)$haloalkoxy;

R^2 is H, halogen, $(C_1$-$C_6)$alkyl or $(C_1$-$C_4)$alkoxy; or

R^1 and R^2 can together with the attached carbon atom form a $(C_3$-$C_6)$cycloalkyl or $(C_4$-$C_6)$cycloalkenyl ring;

R^3 is H, $(C_1$-$C_6)$alkyl, $(C_1$-$C_4)$alkoxy or halogen;

R^4 and R^5 are each independently H, $(C_1$-$C_4)$alkyl, $(C_1$-$C_4)$haloalkyl, $(C_3$-$C_4)$alkenyl, $(C_3$-$C_4)$haloalkenyl, $(C_3$-$C_4)$alkynyl, $(C_3$-$C_4)$haloalkynyl or an acyl radical;

R^6 is H, $(C_1$-$C_6)$alkyl or $(C_1$-$C_6)$alkoxy;

R^7, R^8, R^9 and R^{10} are each independently H, $(C_1$-$C_4)$alkyl, $(C_1$-$C_3)$haloalkyl, halogen, $(C_1$-$C_3)$alkoxy, $(C_1$-$C_3)$haloalkoxy or CN;

A is CH_2, O or a direct bond; and

the stereochemical configuration at the marked 1 position is (R) having a stereochemical purity of from 60 to 100% (R), or

an agriculturally acceptable salt thereof.

Claim 2 (Previously presented)

2. A compound or an agriculturally acceptable salt thereof as claimed in claim 1, wherein:

R^1 is H, halogen, $(C_1$-$C_4)$alkyl, such as methyl, ethyl, n-propyl or iso-propyl, or is $(C_1$-$C_4)$haloalkyl, [$(C_1$-$C_4)$alkoxy]$(C_1$-$C_4)$alkyl, $(C_3$-$C_6)$cycloalkyl which is unsubstituted or substituted by one or two $(C_1$-$C_4)$alkyl groups, or is $(C_3$-$C_4)$halocycloalkyl, $(C_2$-$C_4)$alkenyl, $(C_2$-$C_4)$haloalkenyl, $(C_2$-$C_4)$alkynyl, $(C_1$-$C_4)$alkoxy or $(C_1$-$C_4)$haloalkoxy;

R^2 is H or $(C_1$-$C_4)$alkyl; or

R^1 and R^2 together with the attached carbon atom form a $(C_3$-$C_6)$cycloalkyl ring;

R^3 is H, $(C_1$-$C_4)$alkyl, $(C_1$-$C_2)$alkoxy or halogen;

R^4 is H, $(C_1$-$C_4)$alkyl, $(C_1$-$C_4)$haloalkyl, $(C_3$-$C_4)$alkenyl, $(C_3$-$C_4)$alkynyl or an acyl radical having 1 to 12 carbon atoms;

R^5 is H, (C_1-C_4)alkyl or (C_1-C_4)haloalkyl;

R^6 is H, (C_1-C_3)alkyl or (C_1-C_3)alkoxy;

R^7, R^8, R^9 and R^{10} are each independently H, (C_1-C_3)alkyl, halogen or (C_1-C_3)alkoxy; and

A is CH_2, O or a direct bond.

Claim 3 (Previously presented)

3. A compound or an agriculturally acceptable salt thereof as claimed in claim 1, wherein:

R^1 is H or (C_1-C_3)alkyl;

R^2 is H or (C_1-C_3)alkyl; or

R^1 and R^2 together with the attached carbon atom form a (C_3-C_4)cycloalkyl ring;

R^3 is H, (C_1-C_2)alkyl, methoxy, Cl or F;

R^4 is H, (C_1-C_3)alkyl, (C_1-C_3)haloalkyl, allyl, propargyl, CHO, --CO(C_1-C_3)alkyl or --CO(C_1-C_3)haloalkyl;

R^5 is H or (C_1-C_2)alkyl;

R^6 is H, (C_1-C_3)alkyl or (C_1-C_3)alkoxy;

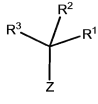
R^7, R^8, R^9 and R^{10} are each independently H, methyl, F and Cl; and

A is CH_2, O or a direct bond.

Claim 4 (Previously presented)

4. A process for the preparation of a compound of the formula (I) or an agriculturally acceptable salt thereof as defined in claim 1, which process comprises:

a) reacting a compound of formula (II):



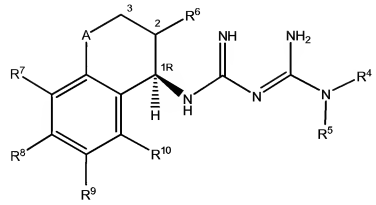
(II)

wherein

R^1, R^2 and R^3 are as defined in formula (I), and

Z is a functional group selected from the group consisting of carboxylic ester, carboxylic orthoester, carboxylic acid chloride, carboxamide, cyano, carboxylic anhydride or trichloromethyl, with a biguanidine compound of formula (III) or an acid addition salt thereof:

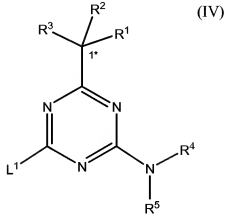
(III)



wherein R^4, R^5, R^6, R^7, R^8, R^9, R^{10} and A and the configuration at the marked 1 position are as defined in formula (I); or

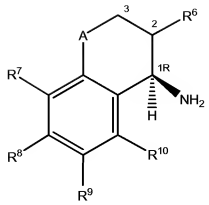
b) reacting a compound of formula (IV):

(IV)



wherein R^1, R^2, R^3, R^4 and R^5 and the configuration at the marked 1* position are as defined in formula (I), and

L^1 is a leaving group, with an amine of formula (V) or an acid addition salt thereof:



(V)

wherein R^6, R^7, R^8, R^9, R^{10} and A and the configuration at the marked 1 position are as defined in formula (I); or

c) where one of R^4 or R^5 in formula (I) is $(C_1$-$C_4)$alkyl, $(C_1$-$C_4)$haloalkyl, $(C_3$-$C_4)$alkenyl, $(C_3$-$C_4)$haloalkenyl, $(C_3$-$C_4)$alkynyl or $(C_3$-$C_4)$haloalkynyl, reacting the corresponding compound of formula (I) wherein said R^4 or R^5 respectively is H, and the other radicals and the configurations are as defined in formula (I), with an alkylating agent of formula (VI) or (VII) respectively: R^4-L^2 (VI) R^5-L^2 (VI) wherein R^4 or R^5 is $(C_1$-$C_4)$alkyl, $(C_1$-$C_4)$haloalkyl, $(C_3$-$C_4)$alkenyl, $(C_3$-$C_4)$haloalkenyl, $(C_3$-$C_4)$alkynyl or $(C_3$-$C_4)$haloalkynyl and L^2 is a leaving group; or

d) where one of R^4 or R^5 is an acyl radical in formula (I), reacting the corresponding compound of formula (I) wherein said R^4 or R^5 respectively is H, and the other radicals and the configurations are as defined in formula (I), with an acylating agent of formula (VIII) or (IX) respectively: R^4-L^3 (VIII) R^5-L^3 (IX) wherein R^4 and R^5 are each an acyl radical as defined in formula (I) and L^3 is a leaving group; or

e) resolving a compound of formula (I) by using in the above-described processes one or more intermediates (II), (III), (IV) or (V) whose configuration differs from the configuration as defined in the compound of formula (I) to be prepared, and resolving the mixture obtained according to known methods of resolution.

Claim 5 (Previously presented)

5. A herbicidal or plant growth regulating composition, which comprises one or more compounds of the formula (I) or their agriculturally acceptable salts as claimed in claim 1 and formulation auxiliaries applicable in crop protection.

Claim 6 (Previously presented)

6. A method of controlling harmful plants or for regulating the growth of plants, which comprises applying an active amount of one or more compounds of the formula (I) or their agriculturally acceptable salts as claimed in claim 1 to the plants, plant seeds or the area under cultivation.

Claims 7-10 (cancelled)

Claim 11 (Previously presented)

11. A compound or an agriculturally acceptable salt thereof as claimed in claim 3, wherein:

R^1 is $(C_1$-$C_3)$alkyl;

R^2 is H;

R^3 is Cl or F;

R^4 is H;

R^5 is H;

R^6 is H or $(C_1$-$C_3)$alkyl;

R^7, R^8, R^9 and R^{10} are each independently H, methyl, F and Cl; and

A is CH_2, O or a direct bond.

Claim 12 (Previously presented)

12. A compound or an agriculturally acceptable salt thereof as claimed in claim 11, wherein:

R^6 is H.

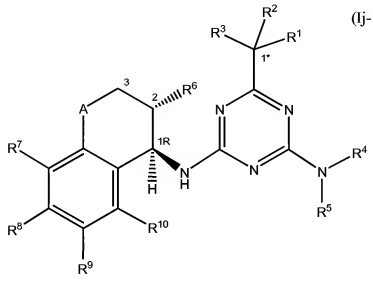
Claim 13 (Previously presented)

13. A compound or an agriculturally acceptable salt thereof as claimed in claim 11, wherein:

R^6 is $(C_1$-$C_3)$alkyl.

Claim 14 (Previously presented)

14. A compound or an agriculturally acceptable salt thereof as claimed in claim 3, wherein the compound has the structure of formula (Ij-1):



and

R^4 and R^5 are H; and

R^6 is CH_3.

Claim 15 (Previously presented)

15. A compound or an agriculturally acceptable salt thereof as claimed in claim 1, which has a stereochemical purity of from 80 to 100% (R), or an agriculturally acceptable salt thereof.

Claim 16 (New)

16. A compound or an agriculturally acceptable salt thereof as claimed in claim 1, wherein A is a direct bond or a CH_2 group.

Claim 17 (New)

17. A compound or an agriculturally acceptable salt thereof as claimed in claim 16, wherein the stereochemistry of the compound is (1R, 1*R).

Claim 18 (New)

18. A compound or an agriculturally acceptable salt thereof as claimed in claim 16, wherein the stereochemistry of the compound is (1R, 1*S).

Claim 19 (New)

19. The compound or an agriculturally acceptable salt thereof as claimed in claim 17, which has a stereochemical purity of from 80 to 100% (R), or an agriculturally acceptable salt thereof.

Claim 20 (New)

20. The compound or an agriculturally acceptable salt thereof as claimed in claim 18, which has a stereochemical purity of from 80 to 100% (R), or an agriculturally acceptable salt thereof.